

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Northern District of California

KESHAV BHATTARAI; SAJJAN PANDEY;  
SUMNIMA THAPA; DONALDO POSADAS  
CACERES; SORAYDA RODRIGUEZ MOTIÑO;  
DENIS MOLINA CHAVEZ; S.S.; G.D.P.

*Plaintiff(s)*

v.

KIRSTJEN NIELSEN, in her official capacity as  
Secretary of Homeland Security, et al.

*Defendant(s)*

Civil Action No. 3:19-CV-00731-JST

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Hon. Kirstjen M. Nielsen, Secretary  
Office of the General Counsel  
U.S. Department of Homeland Security  
245 Murray Lane SW  
Mail Stop 0485  
Washington, DC 20528-0485

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Alycia A. Degen  
adegen@sidley.com  
SIDLEY AUSTIN LLP  
555 West Fifth Street, Suite 4000  
Los Angeles, CA 90013  
Telephone: (213) 896-6000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 02/12/2019



CLERK OF COURT

Susan Y. Soong

*Thelma Nudo*

Signature of Clerk or Deputy Clerk

Civil Action No. 3:19-CV-00731-JST

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Print**

**Save As...**

**Reset**

**ATTACHMENT TO SUMMONS**

*All Defendants:*

The Hon. Kirstjen M. Nielsen, Secretary  
Office of the General Counsel  
U.S. Department of Homeland Security  
245 Murray Lane SW  
Mail Stop 0485  
Washington, D.C. 20528-0485

The Hon. Elaine C. Duke, Deputy Secretary  
Office of the General Counsel  
U.S. Department of Homeland Security  
245 Murray Lane SW  
Mail Stop 0485  
Washington, D.C. 20528-0485

U.S. Department of Homeland Security  
Office of the General Counsel  
245 Murray Lane SW  
Mail Stop 0485  
Washington, D.C. 20528-0485

The United States of America  
ATTN: Matthew G. Whitaker, Acting United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, D.C. 20530-0001

U.S. Attorney's Office for the Northern District of California  
ATTN: Civil Process Clerk  
450 Golden Gate Avenue  
San Francisco, CA 94102